

NOT TO BE PUBLISHED

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

----

THE PEOPLE,

Plaintiff and Respondent,

v.

CHASE HILL,

Defendant and Appellant.

C073605

(Super. Ct. No. 12F02024)

This appeal comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).

A complaint, later deemed an information, accused defendant Chase Hill of forcible rape (count one; Pen. Code, § 261, subd. (a)(2))<sup>1</sup> and forcible sodomy (count two; § 286, subd. (c)(2)).

Defendant pleaded no contest to both counts in return for a stipulated state prison term of 11 years (the upper term of eight years on count one, and three years consecutive

---

<sup>1</sup> Undesignated section references are to the Penal Code.

on count two). Defendant also admitted violating probation in a separate case, on which sentence was to run concurrent. According to the prosecutor's uncontested statement, on or about March 4, 2007, while visiting the victim in her home, defendant had forcible sexual intercourse with her and committed forcible sodomy on her.

The trial court thereafter imposed the agreed 11-year state prison term and terminated defendant's probation in the prior case. The court granted defendant 454 days of presentence custody credits (395 actual days and 59 conduct days). The court imposed a \$240 restitution fine (§ 1202.4, subd. (b)) and a suspended parole revocation restitution fine in the same amount (§ 1202.45), a \$40 court security fee (§ 1465.8), and a \$30 court facilities fee (Gov. Code, § 70373). The court also ordered victim restitution in an amount to be determined.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

#### DISPOSITION

The judgment is affirmed.

\_\_\_\_\_  
NICHOLSON, Acting P. J.

We concur:

\_\_\_\_\_  
HULL, J.

\_\_\_\_\_  
HOCH, J.